

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

AUDREY WILSON

2003 JAN -6 A 9:26

v.

CIVIL NO. CCB-02-3341

ST. AGNES HEALTHCARE, INC., ET AL.

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ORDER

The defendant's Motion to Dismiss has been read and considered, together with all related papers. For the reasons stated below, it will be **Granted**.

Supervisors may not be held individually liable for delegable employment-related acts in violation of Title VII or the ADEA. Birkbeck v. Marvel Lighting Corp., 30 F.3d 507, 510-11 (4th Cir. 1994); Scannell v. Bel Air Police Dep't, 968 F.Supp. 1059, 1068-69 (D. Md. 1997); Causey v. Balog, 929 F.Supp. 900, 906 (D. Md. 1996), aff'd, 162 F.3d 795 (4th Cir. 1998).

Further, the Fourteenth Amendment due process claim does not apply to a private not for profit employer such as St. Agnes Hospital. See Modaber v. Culpeper Mem'l Hosp., 674 F.2d 1023, 1027 (4th Cir. 1982).

Accordingly, all claims against Mr. Bancroft and the due process claim against St. Agnes are **Dismissed**. A schedule will be set for the remaining claims of race and age discrimination against the hospital.

SO ORDERED this 6 day of January, 2003.



Catherine C. Blake
United States District Judge

(J)